

SENATE BILL 1419

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 40,  
relative to the issuance of warrants and criminal  
summons.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-6-205, is amended by adding the following as a new subsection:

(c) Notwithstanding the provisions of this section, if the affiant to an affidavit of complaint for an arrest warrant is the parent or legal guardian of a child who is the victim of alleged criminal conduct, no arrest warrant shall issue to such an affiant without the written approval of the district attorney general in the district in which the conduct occurred if:

(1) The person the affiant seeks to have arrested was an employee of an LEA at the time of the alleged offense; and

(2) The affiant alleges that the LEA employee engaged in conduct that harmed the child of the affiant parent or legal guardian and, at the time of such conduct, the LEA employee had supervisory or disciplinary power over the child.

SECTION 2. Tennessee Code Annotated, Section 40-6-215, is amended by adding the following new subsection (m):

(m) Notwithstanding the provisions of this section, if the affiant to an affidavit of complaint for a criminal summons is the parent or legal guardian of a child who is the victim of alleged criminal conduct, no criminal summons shall issue to such an affiant without the written approval of the district attorney general in the district in which the conduct occurred if:

(1) The person the affiant seeks to have issued a criminal summons was an employee of an LEA at the time of the alleged offense; and

(2) The affiant alleges that the LEA employee engaged in conduct that harmed the child of the affiant parent or legal guardian and, at the time of such conduct, the LEA employee had supervisory or disciplinary power over the child.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.